

109TH CONGRESS
2D SESSION

H. R. 6219

To amend the Emergency Planning and Community Right-to-Know Act of 1986 to strike a provision relating to modifications in reporting frequency.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 27, 2006

Mr. PALLONE (for himself, Ms. SOLIS, Mr. ALLEN, Ms. BERKLEY, Mr. BISHOP of New York, Mr. BLUMENAUER, Ms. BORDALLO, Mrs. CAPPS, Mr. CAPUANO, Mr. CARDIN, Mr. CUMMINGS, Ms. DEGETTE, Mr. DOGGETT, Mr. ENGEL, Mr. FARR, Mr. FRANK of Massachusetts, Mr. GRIJALVA, Mr. GUTIERREZ, Mr. HINCHEY, Mr. HOLT, Mr. HONDA, Mr. JACKSON of Illinois, Ms. JACKSON-LEE of Texas, Mr. KUCINICH, Ms. LEE, Mr. LEVIN, Mr. LEWIS of Georgia, Mr. LYNCH, Mrs. MALONEY, Mr. MARKEY, Ms. MATSUI, Mr. McDERMOTT, Mr. MCGOVERN, Mr. MEEHAN, Mr. GEORGE MILLER of California, Mr. MORAN of Virginia, Mr. NADLER, Mr. OWENS, Mr. PAYNE, Mr. SABO, Ms. LINDA T. SÁNCHEZ of California, Mr. SANDERS, Ms. SCHAKOWSKY, Mr. SCHIFF, Ms. SCHWARTZ of Pennsylvania, Mr. SERRANO, Mr. WAXMAN, Ms. WOOLSEY, Mr. WEXLER, Mr. CONYERS, Ms. MCCOLLUM of Minnesota, Mr. ACKERMAN, Mr. STARK, Mr. INSLEE, Mr. FATTAH, Mr. JEFFERSON, and Mr. BERMAN) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To amend the Emergency Planning and Community Right-to-Know Act of 1986 to strike a provision relating to modifications in reporting frequency.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Toxic Right-to-Know
3 Protection Act”.

4 **SEC. 2. MODIFICATIONS IN REPORTING FREQUENCY.**

5 Section 313 of the Emergency Planning and Commu-
6 nity Right-to-Know Act of 1986 (42 U.S.C. 11023) is
7 amended—

8 (1) by striking subsection (i); and

9 (2) by redesignating subsections (j) through (l)
10 as subsections (i) through (k), respectively.

11 **SEC. 3. REQUIREMENTS RELATING TO TOXIC RELEASE IN-**
12 **VENTORY.**

13 (a) FORM A CERTIFICATION STATEMENT.—Notwith-
14 standing any other provision of law—

15 (1) the Administrator of the Environmental
16 Protection Agency (referred to in this section as the
17 “Administrator”) shall establish the eligibility
18 threshold regarding the use of a form A certification
19 statement under the toxic release inventory program
20 established under the Emergency Planning and
21 Community Right-to-Know Act of 1986 (42 U.S.C.
22 11001 et seq.) at not greater than 500 pounds for
23 nonpersistent bioaccumulative and toxic chemicals;
24 and

25 (2) the use of a form A certification statement
26 described in paragraph (1), or any equivalent suc-

1 cessor thereto, shall be prohibited with respect to
2 any chemical identified by the Administrator as a
3 chemical of special concern under section 372.28 of
4 title 40, Code of Federal Regulations (or a successor
5 regulation).

6 (b) REVISION OF REQUIREMENTS.—Notwithstanding
7 any other provision of law, the Administrator shall not im-
8 plement the proposed rule of the Administrator dated Oc-
9 tober 4, 2005 (70 Fed. Reg. 57822), to revise require-
10 ments under the toxic release inventory program described
11 in subsection (a)(1).

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